

cc

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 FEB 13 AM 9:39

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Oscar Miguel OLALDE

Defendant.

Magistrate Case No.

'08 MJ 04 17

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien
Without Presentation

DEPUTY

The undersigned complainant being duly sworn states:

On or about **February 11, 2008**, within the Southern District of California, defendant **Oscar Miguel OLALDE**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Laura Flor LLAMAS-Garcia**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13th DAY OF
FEBRUARY, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Laura Flor LLAMAS-Garcia** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 11, 2008 at approximately 11:25 pm, **Oscar Miguel OLDALDE (Defendant)** made application for entry into the United States from Mexico at the Otay Mesa, California Port of Entry as the driver of a green Ford Taurus. Defendant presented a California driver's license bearing his true name and photograph to a Customs and Border Protection (CBP) Officer and a California birth certificate establishing United States citizenship. A CBP Officer received a negative customs declaration from the Defendant. The CBP Officer received a computer generated referral and subsequently referred Defendant into secondary inspection.

During secondary, a non-factory compartment was discovered underneath the front bench seat of the vehicle. Subsequently, one female individual was extracted from the compartment. The female individual was determined to be a citizen of Mexico without entitlements to enter the United States and is now identified as **Laura Flor LLAMAS-Garcia (Material Witness)**.

During a videotaped interview Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to submit to questioning without an attorney present. Defendant admitted to knowingly facilitating the illegal entry of one female undocumented alien into the United States through the Otay Mesa, California Port of Entry in a green Ford Taurus. Defendant admitted that he had knowledge that Material Witness is a citizen of Mexico with no entitlements to enter the United States. Defendant admitted to assisting in placing Material Witness into the non-factory compartment of the vehicle. Defendant admitted his intentions were to smuggle Material Witness into the United States for a monetary compensation of \$600.00 USD.

During a videotaped interview Material Witness admitted she is a citizen of Mexico without proper documentation to enter into, pass through, or remain in the United States. Material Witness stated she intended to travel to Los Angeles, California to reside and seek employment. Material Witness stated she was to pay an unknown female \$3000.00 (USD) to facilitate her illegal entry into the United States. Material Witness stated that Defendant was present when she entered the non-factory compartment and assisted in placing her in the non-factory compartment of the vehicle. Material Witness stated that she told Defendant that she did not possess documents to enter the United States.